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8 Attorneys for Defendants  
 HSBC MORTGAGE CORPORATION (USA) and  
 9 HSBC BANK USA, N.A.

10 UNITED STATES DISTRICT COURT  
 11 NORTHERN DISTRICT OF CALIFORNIA  
 12 SAN FRANCISCO DIVISION

13 Philip Wong, Frederic Chaussy, and Leslie  
 14 Marie Shearn, individually, on behalf of all  
 15 others similarly situated, and on behalf of  
 the general public,

16 Plaintiffs,

17 v.

18 HSBC Mortgage Corporation (USA);  
 19 HSBC Bank USA, N.A.; and DOES 1  
 through 50, inclusive,

20 Defendants.

21 Case No. C 07 2446 MMC [ECF]

**22 NOTICE OF UNAVAILABILITY OF  
 COUNSEL**

**23 TO THE COURT CLERK, ALL PARTIES, AND ALL ATTORNEYS OF RECORD:**

24 PLEASE TAKE NOTICE that, from September 24, 2008 through and including  
 October 8, 2008, Defendants' counsel George J. Tichy II will be unavailable for all purposes,  
 including, but not limited to, receiving and responding to notices of any kind, appearing in Court,  
 responding to *ex parte* applications, attending depositions, or otherwise communicating with the  
 Court and opposing counsel.

1 Request is hereby made that no motions, *ex parte* applications, or orders to show cause be  
2 filed or noticed between September 24, 2008 and October 8, 2008. Defendants have not received  
3 service of any notices, subpoenas, motions, or otherwise which set any matter, hearing, deposition or  
4 deadline during this time period.

5 Dated: August 7, 2008  
6

7 /s/ Michelle R. Barrett

8 MICHELLE R. BARRETT  
9 GEORGE J. TICHY II  
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